Supreme Court, U.S.
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No. 111 Original

IN THE

Supreme Court of the United States

October Term, 1987

STATE OF DELAWARE,

Plaintiff,

v.

STATE OF NEW YORK,

Defendant.

STATE OF TEXAS,

Intervenor Plaintiff,

v.

STATE OF NEW YORK,

Defendant.

STATEMENT OF THE STATE OF DELAWARE IN SUPPORT OF THE RELIEF SOUGHT BY THE STATE OF NEW YORK'S MOTION FOR JUDGMENT ON THE PLEADINGS AGAINST THE STATE OF TEXAS

Charles M. Oberly, III
Attorney General of Delaware

Fred S. Silverman
Chief Deputy Attorney General

J. Patrick Hurley, Jr.
Assistant Attorney General

Richard L. Sutton, Counsel of Record
Jack B. Blumenfeld
James Lawless, IV
MORRIS, NICHOLS, ARSHT & TUNNELL
1201 N. Market Street
P.O. Box 1347
Wilmington, Delaware 19899
(302) 658-9200
Attorneys for Plaintiff
The State of Delaware

June 7, 1989

SMITH-EDWARDS-DUNLAP COMPANY, 2867 E. ALLEGHENY AVENUE, PHILADELPHIA, PA 19134 (215) 425-8800

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The State of Delaware ("Delaware") joins in support of the Motion for Judgment on the Pleadings Against the State of Texas ("Texas") by the State of New York ("New York"). Delaware concurs with New York that the Complaint in Intervention filed by Texas is plainly inconsistent with, and contrary to, the "clear rule" declared by this Court in *Texas v. New Jersey*, 379 U.S. 674, 678 (1965) and reaffirmed in *Pennsylva-*

nia v. New York, 407 U.S. 206 (1972) for the escheat of "*all* types of intangible obligations" and "to which *all* States may refer with confidence." *Texas v. New Jersey, supra* at 678 (emphasis supplied). Accordingly, Delaware asks the Court to grant the relief sought herein by New York and to dismiss the Complaint in Intervention of Texas.

Respectfully submitted,

CHARLES M. OBERLY, III
Attorney General of Delaware

FRED S. SILVERMAN
Chief Deputy Attorney General

J. PATRICK HURLEY, JR.
Assistant Attorney General

RICHARD L. SUTTON, Counsel of Record
JACK B. BLUMENFELD
JAMES LAWLESS, IV
MORRIS, NICHOLS, ARSHT & TUNNELL
1201 North Market Street
P.O. Box 1347
Wilmington, Delaware 19899
(302) 658-9200
Attorneys for Plaintiff
The State of Delaware

June 7, 1989

PROOF OF SERVICE

I, JAMES LAWLESS, IV, certify pursuant to Rule 28.5(b) of the Rules of the Supreme Court of the United States, that I represent plaintiff, the State of Delaware, that I am a member of the Bar of the Supreme Court of the United States, and that on the 12th day of June, 1989, I served copies of the foregoing Statement Of The State Of Delaware in support of the relief sought by the State of New York's Motion for Judgment on the Pleadings Against the State of Texas, on all parties required to be served by depositing such copies, first-class postage pre-paid, in a United States Post Office, addressed in accordance with the service list attached hereto.

James Lawless, IV
MORRIS, NICHOLS, ARSHT & TUNNELL
1105 North Market Street
Post Office Box 1347
Wilmington, Delaware 19899
(302) 658-9200
Counsel for Plaintiff
the State of Delaware